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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Arlasky

Serial No.: 10/623,960

Filed: 17 July 2003

**Title: ROTATABLLE PROPELLER
DRIVEN ENGINE EXHAUST SYSTEM
(Formerly: Improved Muffler)**

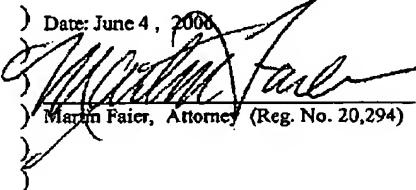
Group Art Unit: 2837

Examiner: San Martin, Edgardo

) **CERTIFICATE OF FACSIMILE**

) Pursuant to 37 C.F.R. § 1.8(a), I hereby certify that
this paper (along with any paper identified as being
attached or enclosed therewith) was transmitted via
facsimile to 571/273-8300, on the date identified
below, in accordance with the Rules.

) Date: June 4, 2006

) 
Martin Faier, Attorney (Reg. No. 20,294)

DECLARATION OF DAVID F. ALARSKY

DAVID F. ALARSKY, hereby declares, as follows:

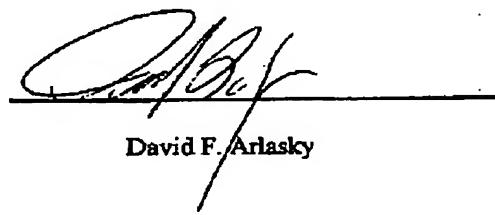
1. Declarant is the inventor of and fully familiar with the invention disclosed and claimed in the above identified patent application, and he is fully familiar with the prosecution of said application. Declarant is an officer and employee of Alarsky Performance, Inc., of 15801 Rockfield Blvd., Units B and C, Irvine, CA 92618, the manufacturer and distributor of devices embodying the invention disclosed and claimed in said patent application, which are identified as ZOOMERS exhaust systems.

2. Since Declarant's employer has been offering devices embodying Declarant's said invention to customers, on information and belief unit and dollar sales of embodiments of said invention have risen from zero to the present amounts as shown on Exhibit A attached to this Declaration. Such products have had substantial acceptance in the exhaust systems industry and have enjoyed considerable commercial success.

3. Some of the customers of Alarsky Performance, Inc. have employed Automotive Testing and Development Services, Inc. to test their vehicles with and without exhaust systems embodying Declarant's invention. On information and belief, these vehicles were first tested with the exhaust systems on the respective vehicles and then Declarant's said systems were installed on said vehicles and they were again tested. The results of such tests were reported to Declarant. A copy of the said test results is attached, together with a page from the test company's website identifying that company and its business. These tests, made of six tow trucks, showed fuel improvement of an average of 11.53%. According to the US government, our country imports 1.1 million barrels of oil per day; if an 11.53% average savings resulted in US consumption of oil, the savings of imported oil would be 126,830 barrels of oil per day. While testing of Declarant's invention has been limited, Declarant believes the saving resulting from the tests conducted so far established a new and unexpected result for his said invention. In view of the national significance of fuel savings systems and products, which have moved in the direction of substitute fuels and improved engines, Declarant believes that improvements in exhaust systems like the system embodying the present invention represents a new and unexpected result from his said invention and movement of the prior art in a direction not usually taken by those interested in solving the present fuel crisis.

The undersigned, being hereby warned that willful false statements and the like so made are punishment by fine or imprisonment or both under 18 U.S.C. 1001, and that such willful

false statements may jeopardize the validity of the above identified patent application or any resulting patent, declares that all statements made herein of his own knowledge are true and all statements made on information and belief are believed to be true.



David F. Arlasky

EXHIBIT A TO THE DECLARATION OF DAVID F. ALARSKY**1. Unit Sales of Exhaust Systems:(No sales prior to January, 2004)**

<u>Year</u>	<u>No. Of Months</u>	<u>No. Of units solds</u>
2004	12	416
2005	12	1194
2006*	5	629

* Estimates sales for 12 months, 2006, 2246 units. Sales are strongest, June through December.

2. Unit Sales of Exhaust Systems (No. Sales prior to January, 2004)

<u>Year</u>	<u>No. Of Months</u>	<u>Sales</u>
2004	12	\$249,952.34
2005	12	\$716,401.36
2006	5	<u>\$377,580.92</u>

AD

Test Result Summary**Baseline Tests**

			FTP-75				
	Date	Test ID	THC	CO	NOx	NMHC	FE
B-1	9/10/2004	ONT01952	0.068	0.420	0.094	0.060	14.674
B-2	9/12/2004	ONT01959	0.069	0.730	0.084	0.061	14.706
B-3	9/13/2004	ONT01967	0.067	0.672	0.092	0.057	14.873
Average			0.068	0.607	0.090	0.059	14.751

HWFET

			HWFET					
	Date	Test ID	THC	CO	NOx	NMHC	FE	Combined FE
B-1	9/10/2004	ONT01952	0.007	0.125	0.010	0.004	23.073	17.549
B-2	9/12/2004	ONT01959	0.010	0.151	0.024	0.004	23.248	17.619
B-3	9/13/2004	ONT01967	0.010	0.132	0.025	0.004	23.356	17.778
Average			0.009	0.136	0.020	0.004	23.226	17.649

With Zoomers Exhaust System

			FTP-75				
	Date	Test ID	THC	CO	NOx	NMHC	FE
M-1	9/21/2004	ONT02038	0.066	0.487	0.078	0.050	14.546
M-2	9/22/2004	ONT02051	0.054	0.541	0.088	0.047	14.518
M-3	9/23/2004	ONT02065	0.054	0.451	0.092	0.046	14.467
Average			0.054	0.493	0.086	0.047	14.510

HWFET

			HWFET					
	Date	Test ID	THC	CO	NOx	NMHC	FE	Combined FE
M-1	9/21/2004	ONT02038	0.006	0.157	0.009	0.004	22.887	17.399
M-2	9/22/2004	ONT02051	0.009	0.188	0.029	0.004	22.816	17.359
M-3	9/23/2004	ONT02065	0.010	0.172	0.036	0.006	22.950	17.354
Average			0.008	0.172	0.025	0.004	22.885	17.379

400 S. Etiwanda Avenue, Ontario, CA 91761
 P: (909) 390-1100 F: (909) 390-9056 E: info@automotivetesting.com

Medium Duty Fuel Test Results

COMPANY	TOWING	COMPANY	TOWING
Make	GMC 6500	Make	FORD F-550
Model/Year	2001 TOPKICK	Model/Year	2004
Engine		Engine	V-10 Triton
Before MPG	7.96	Before MPG	6.36
After MPG	8.56	After MPG	7.01
% Improvement	16.30%	% Improvement	10.23%
Beginning ODO	48,952	Beginning ODO	68,752

COMPANY	TOWING	COMPANY	TOWING
Make	Ford F-450	Make	FORD F-550
Model/Year	2003	Model/Year	2004
Engine	Ford	Engine	V-10 Triton
Before MPG	7.76	Before MPG	6.36
After MPG	8.45	After MPG	7.01
% Improvement	8.89%	% Improvement	10.23%
Beginning ODO	74,839	Beginning ODO	68,752

COMPANY	TOWING	COMPANY	TOWING
Make	Ford F-550	Make	FORD F-550
Model/Year	2004	Model/Year	2004
Engine	Ford	Engine	V-10 Triton
Before MPG	7.04	Before MPG	6.36
After MPG	7.89	After MPG	7.01
% Improvement	12.07%	% Improvement	10.23%
Beginning ODO	56,425	Beginning ODO	68,752



AUTOMOTIVE TESTING AND DEVELOPMENT SERVICES, INC



Corporate
Information



Emissions
Testing



General
Durability



Data Collection
and Analysis



In-Use Vehicle
Procurement



Home

INFORMATION IS THE KEY...

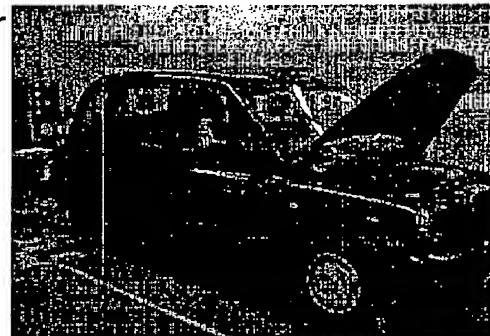
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ATDS offers full service engineering support to the automotive industry, specializing in emissions and durability testing.

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To request further information on how ATDS can help you with your automotive testing needs contact us at:

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